

1644
JTW

Date: February 8, 2006 I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Priority Mail" service.

Kim Blum
Name (Print)

Kim Blum
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Kyogo ITOH)	Examiner:	Unassigned
)		
Application No.:	10/062,257)	Group Art Unit:	1644
)		
Filed:	February 1, 2002)	Confirmation No.:	8619
)		
Docket No.:	3190-014)	Customer No.:	33432

For: TUMOR ANTIGEN

**RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 8, 2006

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures dated January 18, 2006, the applicants respond as follows.

In the Notice, it was asserted that the content of the computer readable form does not comply with the requirements of 37 C.F.R. §1.822 and/or § 1.823.

To fully respond to this Notice, the paper copy of the Sequence Listing is amended by the submission of substitute sheets, attached hereto. The amendment to the Sequence Listing is limited to formal matters, specifically, addition of the sequences listed on pages 18, 30, 40, and 41 of the specification (now designated as SEQ ID NOs: 18-45) as noted in the Notice to Comply, an amendment to item <140> to reflect the current assigned U.S. patent application number for the present application, and an amendment to item <150> to reflect the priority applications for the present application. No new matter is added to the Sequence Listing. Also

Response to Notice to Comply With Requirements
for Patent Applications Containing Nucleotide
and/or Amino Acid Sequence Disclosures
U.S. Patent Application No. 10/062,257

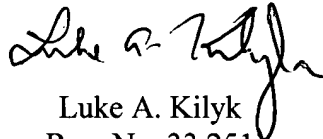
enclosed is a substitute diskette containing a computer readable form of the amended "Sequence Listing." Also enclosed is a Statement under 37 C.F.R. § 1.821. Accordingly, the applicants have fully responded to the notice.

CONCLUSION

In view of the foregoing remarks, the applicant respectfully requests the reconsideration of this application and the timely allowance of the pending claims.

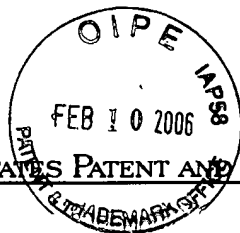
If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,


Luke A. Kilyk
Reg. No. 33,251

Atty. Docket No. 3190-014
KILYK & BOWERSOX, P.L.L.C.
400 Holiday Court, Suite 102
Warrenton, VA 20186
Tel.: (540) 428-1701
Fax: (540) 428-1720

Enclosures: Statement Under 37 C.F.R. § 1.821
Printed version of the "Sequence Listing"
Diskette containing a computer readable form of the "Sequence Listing."
Copy of Notice to Comply with Requirements dated January 18, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/062,257	02/01/2002	Kyogo Itoh	3190-014

CONFIRMATION NO. 8619

FORMALITIES
 LETTER

33432
 KILYK & BOWERSOX, P.L.L.C.
 400 HOLIDAY COURT
 SUITE 102
 WARRENTON, VA 20186

Date Mailed: 01/18/2006

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR §§ 1.821-1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

See the attachment.

Applicant Must Provide as part of the response:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

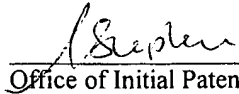
To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>

For questions regarding compliance to these requirements, please contact:

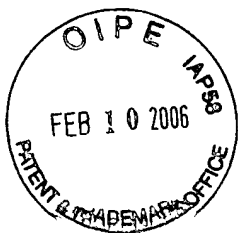
- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 2 - COPY TO BE RETURNED WITH RESPONSE



OIPE ROUTING SHEET APPLICATION

10/062,257

TO BE DELIVERED TO:

O I P E

C. Chan
CHRISTINA CHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

CP2-6C17

LOCA 0380

Sequence Rule Compliance Review Item

<input type="checkbox"/>	CRF, paper copy of sequence listing, and statement that both are same missing
<input type="checkbox"/>	CRF contains error(s) according to STIC Report
<input type="checkbox"/>	CRF damaged or unreadable according to STIC Report
<input type="checkbox"/>	CRF transferred from prior application is not compliant
<input checked="" type="checkbox"/>	CRF does not comply-sequences in specification not found in CRF

Place an "X" in the appropriate box

Comment Sheet

APPLICATION SERIAL NUMBER

10/062,257

**DOES NOT COMPLY WITH THE
SEQUENCE RULES. See reasons below.**

Page(s) 18 (line 16), 30 (lines 3-7, 9-13), 40 (lines 4-6, 9, 10, 13-18, 21-23), 41 (lines 4 and 6) contain sequences not found in the CRF.